

REMARKS/ARGUMENTS

The Examiner's allowance of claims 1 to 25 is noted with appreciation.

The Examiner has rejected claim 25 to 28 as being anticipated by Sawada et al. (U.S. Patent No. 6,431,714 B1), hereinafter "Sawada".

Before setting forth a discussion of the prior art applied in the Office Action, it is respectfully submitted that controlling case law has frequently addressed rejections under 35 U.S.C. § 102. "For a prior art reference to anticipate in terms of 35 U.S.C. Section 102, **every element** of the claimed invention **must** be **identically** shown in a single reference." Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 677, 7 U.S.P.Q.2d 1315, 1317 (Fed. Cir. 1988; emphasis added). The disclosed elements must be arranged as in the claim under review. See Lindemann Machinefabrik v. American Hoist & Derrick Co., 730 F.2d 1452, 1458, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984). If any claim, element, or step is absent from the reference that is being relied upon, there is **no** anticipation. Kloster Speedsteel AB v. Crucible, Inc., 793 F.2d 1565, 230 U.S.P.Q. 81 (Fed. Cir. 1986; emphasis added). The following analysis of the present rejections is respectfully offered with guidance from the foregoing controlling case law decisions.

Sawada does in fact feature three articulated hinges as identified by the Examiner. Two of the hinges are connected to the support structure and define a first axis of rotation. The other of the three hinges is connected between the support structure and the connection point between the two other articulated hinges. Please see Figure 9. Thus the articulated hinge is connected to the support structure in three different places. The articulated hinge arrangement is then also connected to the "frame" at a single point at the midpoint of the two vertically oriented articulated hinges, i.e. at the middle of the top of the "T". The objective is to allow the Frame 32 to rotate in two dimensions.

On the technical side, the T-bar arrangement of Figure 9 of Sawada does not work or

does not work well. Frame 32 does not rotate in both axes as suggested in the specification. The Y axis (defined by the upper and lower part of 61) is a bending movement due to the articulated hinge arrangement with its long side perpendicular to the motion, while the X axis rotation would mostly occur at the right hand side of 61, where there is no serpentine or articulated hinge, due to the mechanical constraints of the connection to the left top and bottom part of 61. To put it simply, the T is connected backwards and the connection has too many connections to the support 31 to enable free rotation in both axes.

This is contrary to the hinge being claimed in claim 25 which enables free rotation in both X and Y axes. The main “visible” difference lies in the number of points of attachment to the support structure and the different location of the third articulated hinge, with respect to the support structure and the device to be rotated. There are two in the subject claim and three in the case of Sawada at each of the three ends of the T.

Claim 25 has been amended to more clearly recite the nature of the attachments of the articulated hinge to the support structure and the device to be rotated. In particular, the first and second articulated hinges are said to have second ends that are “for connection to the support structure”. The third articulated hinge is said to have a second end “for connection to the device to be rotated”. It is readily apparent that in Sawada, the third hinge of Figure 9 (the horizontal one) is connected between the midpoint of the other two hinges on one end, and to the support structure.

Claim 29 has also been added. Claim 29 recites a “wherein clause” that stipulates that other than the two connections to the support structure and the connection to the device to be rotated, the 2-dimensional articulated hinge has no other points of attachment to the support structure or the device to be rotated.

On the basis of the above discussion, it is respectfully submitted that the claims are not anticipated by Sawada, and the Examiner is respectfully requested to withdraw the 35 U.S.C. 102(e) rejections and to allow the application.

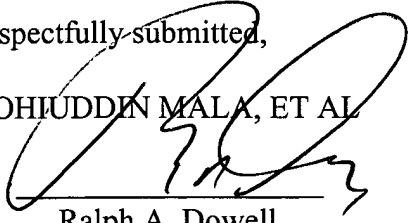
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In view of the foregoing, early favourable consideration of this application is earnestly solicited.

Respectfully submitted,

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